

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

JOSEPH SCHILLECI, JR.,

Plaintiff,

v.

EQUIFAX INFORMATION  
SERVICES, LLC,

Defendant.

Case No. 2:21-cv-00368-RDP

**MOTION FOR EXTENSION OF TIME FOR DEFENDANT EQUIFAX  
INFORMATION SERVICES LLC TO ANSWER TO OTHERWISE  
RESPOND TO PLAINTIFF'S COMPLAINT**

Defendant Equifax Information Services LLC ("Equifax" or "Defendant"), by its counsel and pursuant to Federal Rule of Civil Procedure 6(b)(1), respectfully requests an extension of time, through and including May 19, 2021, to respond to Plaintiffs' Complaint, and in support thereof states:

1. On March 10, 2021, Plaintiff filed a Complaint in the United States District Court of the Northern District of Alabama, Southern Division entitled, *Joseph Schilleci, Jr. v. Equifax Information Services LLC*, Case No. 2:21-cv-00368-RDP. (ECF No. 1).

2. Equifax was served with Plaintiff's Complaint on March 29, 2021.

3. Pursuant to Federal Rules of Civil Procedure 8 and 12, Equifax's response to Plaintiff's Complaint is currently due on April 19, 2021.

4. In light of the COVID-19 pandemic and office closings, Equifax and its counsel require additional time to investigate and respond to the allegations and claims made by Plaintiff. In addition, Equifax intends to engage in good faith settlement discussions with Plaintiff's counsel prior to filing its response to Plaintiff's Complaint. Thus, in the event the parties are not able to resolve this matter, Equifax will need sufficient time to prepare and file its responsive pleading. Accordingly, Equifax respectfully requests an extension of the deadline to respond to Plaintiff's Complaint, up to and including May 19, 2021.

5. This motion is made in good faith, not for purposes of delay, and granting it will not prejudice any party. This extension of time will allow Equifax sufficient time to fully investigate the allegations and claims raised by Plaintiff's Complaint, confer with counsel, and prepare its response. This is Defendant Equifax's first request for an extension of time.

6. On April 2, 2021, Equifax's counsel conferred with Plaintiff's counsel regarding the basis for this request and its need for an extension. Plaintiff's counsel indicated he would not object to a two (2) week extension, but refused to consent to the requested thirty (30) day extension unless Defendant Equifax waived its right to file a Rule 12(b) Motion.

WHEREFORE, Defendant Equifax respectfully requests that this Court enter an order (1) granting the Consent Motion for an Extension of Time and (2) providing

Equifax with an extension through and including May 19, 2021 to file its responsive pleading to the Complaint.

DATED: April 16, 2021

Respectfully submitted,

MAYNARD COOPER & GALE

By: /s/ Brock Phillips

W. Brock Phillips

MAYNARD COOPER & GALE

1901 Sixth Avenue North

Regions Harbert Plaza - Suite 1700

Birmingham, AL 35203

Telephone: (205) 254-1000

bphillips@maynardcooper.com

*Counsel for Defendant*

*Equifax Information Services LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 16, 2021, I presented the foregoing MOTION FOR EXTENSION OF TIME FOR DEFENDANT EQUIFAX INFORMATION SERVICES LLC TO ANSWER TO OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Brock Phillips  
OF COUNSEL